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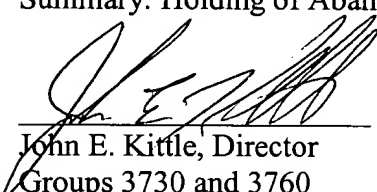
Paper No.

In re Application of	:	
Jon D. Kittelsen et al	:	<i>SUA SPONTE</i>
Serial No. : 09/828,108	:	RESCISSION OF
Filed : April 6, 2001	:	NOTICE OF
For : Composite Mouthguard with Nonsoftening Framework	:	ABANDONMENT

A review of the application reveals that an Office action was mailed to applicants on April 23, 2003. On December 30, 2003, a Notice of Abandonment was mailed indicating that the application was being abandoned for failure to file a response to the Office action mailed April 23, 2003. The abandonment of the application was premature given the fact that applicant had filed a response, a Terminal Disclaimer, on May 6, 2003.

In view of these facts, the abandonment was clearly premature and is hereby rescinded. The application will be forwarded to the Examiner via the Legal Instruments Examiner for entry and consideration of the response filed May 6, 2003.

Summary: Holding of Abandonment Rescinded.


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